Mr. N. PADMANABHA MENON.

Sir, I second it.

The motion by Sankara Puduval, seconded by Mr. N. Padmanabha Menon, for passing to the business next in order in the statement of business was put to the vote and carried.

PRESIDENT.

The next resolution stands in the name of Mr. K. S. Rama Ayyar. You may move it.

Increase in the pay of low-paid Government servants.

Mr. N. PADMANABHA MENON.

Sir, before Mr. Rama Ayyar moves his resolution, under Rule 26, I move that the resolution standing in the name of the Member for Trippunittura be postponed till the Retrenchment Committee reports.

Mr. S. F. NUNEZ.

Sir, I second it.

Mr. K. S. RAMA AYYAR.

May I know, Sir, whether I am permitted to speak, before the motion is put to the votes?

PRESIDENT.

This is a case of postponing the business or adjourning the business and not passing over it.

Mr. N. PADMANABHA MENON.

Yes, Sir.

PRESIDENT.

Mr. Rama Ayyar, you have not begun your speech?

Mr. K. S. RAMA AYYAR.

I oppose this motion.

Mr. C. A. KUNJUNNI RAJA

That has been seconded

PRESIDENT.

I don't know whether it is necessary for you to oppose. You have only to oppose the resolution when it is put to votes.

Mr. K. S. RAMA AYYAR.

The House has to be told about my attitude.

Mr. A EACHARA MENON.

I wish to know what the business to be postponed is. Is it the resolution? It is only a paper that has come before the Council. The resolution has not been moved by any member.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. CHAKKO CHERUVATHUR,

It is quite in order.

PRESIDENT.

The adjournment motion has been made, and the mover is in order in making the adjournment motion. Why should it not be considered in order? You pointed out first that the resolution must be moved and first seconded. Then alone this can be moved

Mr. M. K. RAMAN.

An adjournment motion can be moved at any time.

PRESIDENT.

Under S. O. 26,

"A motion that any meeting or business be adjourned or postponed or that the Council pass to the business next in order in the statement of business may be moved at any time and without previous notice as a distinct question but not so as to interrupt a speech. If the motion is carried, the meeting or business shall be adjourned or postponed accordingly or, if the motion carried be that the Council pass to the business next in order in the statement of business, the business then under discussion shall be considered to be disposed of."

When a member has begun to speak, you ought not rise and say that "I want this question to be raised". The member must finish his speech. He has got a certain time to speak. That must be over. No speech has been interrupted.

Mr. CHAKKO CHERUVATHUR.

The President can call upon the person who moves the resolution, that is, the person who is to move the resolution according to its order in the agenda, either to move it or to withdraw it. He is at liberty to withdraw the resolution of his own accord.

PRESIDENT.

I asked Mr. Rama Ayyar to move his resolution.

Mr. A. EACHARA MENON.

But then, when the President says like that, the member who is to move the resolution can either withdraw it or adjourn it.

PRESIDENT.

Before that, the person who has got the right to move the adjournment motion should say whether he is for withdrawing the resolution or adjourning it. The business of the meeting is known. That business I have announced. Then the right of the member is at once created to resort to this adjournment motion. We have got it here in the rules. I do not mean to give an off-hand ruling.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. A. B. SALEM.

The moving of the resolution itself can be adjourned.

PRESIDENT.

There is a proviso that a member should not be interrupted in his speech. That is all. The business in hand may be adjourned. Some reference may be made to the practice followed elsewhere. Can anyone throw light upon that point?

Mr. V. K. KOCHUNNI MENON.

If the motion is carried, the meeting or business shall be adjourned or postponed, *the business then under discussion* shall be considered to be disposed of.

PRESIDENT.

Have you got anything to say, Mr. T. K. Krishna Menon?

Mr. A. B. SALEM.

The House is disinclined to hear the Hon'ble Member.

Mr. S. F. NUNEZ.

Sir, I rise to a point of order.

PRESIDENT.

I am only considering the matter. That is all. I cannot give an off-hand ruling. Because, afterwards, I may have to revise my ruling.

Mr. N. PADMANABHA MENON.

I may be allowed to put in a word. The word 'business' in the rule only means the business put down for the day in the agenda.

PRESIDENT.

Then others may say that *the business then under discussion* shall be considered and disposed of. Does that not imply that the business must be one which is under discussion?

Mr. C. A. OUSEPH.

That is a separate statement. There are two parts in that clause. The business may be adjourned or postponed, accordingly. In the last part, the rule says "the business then under discussion shall be considered to be disposed of" etc.

PRESIDENT.

Is there not force in the argument? His point is this. There are two distinct points contemplated in the Standing Order about the adjournment. The first is that the meeting or business be adjourned or postponed, and the second is that the Council pass to the business next in order in the statement of business.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. V. K. KOCHUNNI MENON.

The one is adjournment; the other is disposal.

PRESIDENT.

The Legislator has used the word "under discussion" only in the latter case, but does not use the expression with regard to the former so that, of course, Mr. Rama Ayyar having intimated the matter, I think I can put the question to votes. Have you got anything more to say, Mr. Rama Ayyar ?

Mr. K. S. RAMA AYYAR.

In the light of the assurance given by the Government that a Special Finance Committee will be appointed to go into all these questions, I have no objection to withdraw the resolution.

PRESIDENT.

I want to know whether I should allow him the right to move that motion, because you are the mover of the resolution. I want to know why I should not allow it. The motion for withdrawal is quite a different matter. I am concerned only with the adjournment motion now. It is a thing which happens very often. If the members do not like or do not want a particular resolution to be moved or discussed, they will at once say that that business may be adjourned. Let me see the language in the Standing Order. All that it says is that such a motion "may be moved at any time".

Mr. K. S. RAMA AYYAR.

I have nothing to say against it.

PRESIDENT.

The question before the House is that under S. O. 26 the resolution in the name of Mr. Rama Ayyar be adjourned.

The motion was carried.

PRESIDENT.

The next item of business is the resolution which stands in the name of Mr. Mathew, with regard to Communal Representation.

Communal Representation in Government Service.

Mr. M. K. RAMAN.

There are several members who bring forward practically the same resolution.

PRESIDENT.

We go according to the ballotted order.

Mr. A. B. SALEM.

Under S. O. 21 it is open to the President to allow any of them to be moved, and the rest will be deemed to have been withdrawn.

LIBRARY ARCHIVES Kerala Legislative Assembly

PRESIDENT.

Please refer to 35 (d) under resolutions also.

Mr. A. B. SALEM.

May I draw your attention to Standing Order 21?

PRESIDENT.

There are three resolutions which are substantially identical. One is Mr. Poulo Mampilli's resolution which runs thus :-

"*This Council do recommend to the Government that, in making appointments to future vacancies, it may be pleased to take into service members of such communities as are not adequately represented, and that it may be pleased to give to the different communities in the State representation in Government Service, as far as possible, in accordance with the numerical strength of the communities.*"

Mr. M. K. Raman's resolution runs thus :—

"*That this Council strongly recommends to the Government that, in giving appointments in the service of the Government, members of the non-caste-Hindu communities should be given preference to others, whenever persons with the required minimum qualifications are available amongst them, till adequate representation is given to these communities also, in proportion to their numerical strength in the State.*"

The other resolution is the resolution now to be moved by Mr. K. T. Mathew. It is as follows:—

"*That this Council recommends to the Government to take into Government service members of the communities which are not adequately represented and to issue orders to the Heads of all Departments that in making future appointments the different communities in the State should be represented, as far as possible, in proportion to their numerical strength, without impairing the efficiency of the administration.*"

Under S. O. 21, I exercise my discretion to permit Mr. Mathew to move his resolution. The other resolutions must be considered to have been withdrawn. We shall proceed with Mr. Mathew's resolution.

Mr. K. T. MATHEW.

I am entitled to take 10 minutes myself.

PRESIDENT.

We shall then take it up to-morrow.

The House adjourned for the next day, it being 5 minutes to 5 p. m.

T. K. KRISHNA MENON,
Secretary to the Council.

LIBRARY ARCHIVES Kerala Legislative Assembly